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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****OFFICIAL**

In re patent application of: ) Date: August 5, 2004  
Thomas J. Foth et al. ) Attorney Docket No.: E-974  
Serial No.: 09/474,492 ) Customer No.: 00919  
Filed: December 29, 1999 ) Group Art Unit: 3624  
Confirmation No.: 2311 ) Examiner: Steven R. Wasylchak  
Title: METHOD AND APPARATUS FOR PROVIDING ELECTRONIC  
REFUNDS IN AN ONLINE PAYMENT SYSTEM

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated May 5, 2004 finally rejecting claims 1-24.

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is \$330.00.

The total fee due is:

Notice of Appeal Fee: \$330.00

Total Fee Due: \$330.00

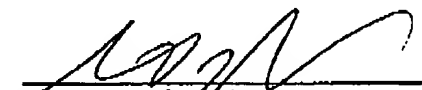
Please charge Deposit Account No.: 16-1885 in the amount of \$330.00 to cover the above fees.

- 2 -

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 16-1885.

A duplicate copy of this transmittal is enclosed for use in charging the Deposit Account.

Respectfully submitted,

  
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted *via facsimile* to:

Patent and Trademark Office  
Attention: Examiner Steven R. Wasylchak, Group Art Unit: 3624  
Facsimile No. (703) 872-9306

August 5, 2004  
Date of Transmission

  
Signature

Steven J. Shapiro  
Name of Registered Rep.  
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August 5, 2004  
Date

(10029295.1)